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Re: PETITION TO CONVERT

Dt: Tuesday, November 21, 2006

Total 11 page(s) including this cover sheet.

November 21, 2006

PETITION TO CONVERT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:

10/598,933

Filing Date:

Believed to be September 14, 2006

Title of Invention:

Semiconductor wafer inspection device and method

First Inventor:

Fumi NABESHIMA

Attorney Docket No.:

PA214WP002

Assignee:

Komatsu Electronic Metals Co., Ltd.

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 U.S.A.

Sir:

With regard to the captioned application, intended as a U.S. National Stage application pursuant to 35 USC 371:

Inadvertently, this application was filed using Form PT/SB/05 (Utility Patent Application Transmittal) instead of Form PTO-1390 (Transmittal Letter to the United States Designate/Elected Office (DO/EO/US) Concerning a Submission under 35 USC 371).

As such, it is our understanding that this application will be treated as a bypass continuation application under 1.11 and be examined.

We respectfully petition that this application be converted to the U.S. National Stage application pursuant to 35 USC 371, as was originally intended.

In support of this petition, attached please find (1) a copy of the inventors' executed Declaration, showing the international application number as PCT/JP2005/010051, and (2) a copy of the Electronic Filing Receipt, showing the Application Type as U.S. National Stage under 35 USC 37 (The International Application Number has since been corrected).

Please note that, as of the present date, no Notice of Acceptance has been received in this application.

The Commissioner is hereby authorized to charge any fees which may be required to Deposit Account No. 50-3546.

We respectfully request that the Commissioner look favorably on our petition.

Respectfully submitted,

oseph P. Farrar

Attorney Registration No. 54,596

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JF/so

Attachments: 1) Inventors' Declaration (4 pages)

2) Electronic Acknowledgement Receipt (4 pages)

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Declaration and Power of Attorney for Patent Application

符許出願宣言書及び委任状

Japanese Language Declaration

日本語宜言書

私は、以下に記名された発明者として、ここに下記の辿り宣言する:

As a below named inventor, I haraby declare that

私の住所、郵便の宛先そして国籍は、私の氏名の後に記載された逆 りである。

My residence, post office address and citizenship are as stated next to my name.

下記の名称の発明について、特許競求範囲に記載され、且つ特許が 求められている発明主題に関して、私は、最初、最先且つ唯一の発明 者である(唯一の氏名が記載されている場合)か、域いは最初、最先 且つ共同発明者である(複数の氏名が記載されている場合)と信じて いる。

I believe I am the original, first and sole inventor (if only one name Is listed below) or an original, first and joint inventor (if plural names; are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Semiconductor wafer inspection device and method

上記兒頭の明細舎はここに添付されているが、下記の顔がチェック をれている場合は、この駆りでない:

the specification of which is attached hereta unless the following box is checked:

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mas filed on April 13,2005 as United States Application Number or PCT International Application Number PCT/JP2005/007120 and was amer and was amended on (if applicable).

私は、上記の荷正等によって着正された、特許誘求範囲を含む上記・ 頓担毒を検討し、且つ内容を延解していることをここに実明する。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、遙邦規則治典第37編規則1、56に定義されている、特許 性について重要な情報を展示する義務があることを認める。

I acknowledge the duty to disclose information which is material patentability as defined in Title 37. Code of Federal Regulations, Section 1.58.

Comments on the amount of time you are required to take 0.4 hours to complete. Time will vary depending upon the need of the individual case. Any comments on the amount of time you are required to complete this form should be sent to Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents and Trademarks. Washington, DC 20231.

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Japanese Language Declaration (日本語宜言書)

私は、ここに、以下に記載した外国での特許出頭または発明者証の 出版、或いは米国以外の少なくとも一国を措定している米国法典第3 5届乗365条 (a)によるPCT国際出版について、阿第119条 (a) dの項又は無365条 的)項に基づいて優先限を主張するとともに、 優先権を主張する本出版の出版日よりも前の出版日を有する外国での 狩許出顧または発明者証の出願、或いはPCT関係出願については、 いかなる出属も、下記の枠内をチェックすることにより示した。

I hereby claim foreign priority under Title 35. United States Code, Section 119(a)-(d) or 385(b) of any foreign application(s) for paten or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United State listed below and have also identified below, by checking the box. any foreign application for patent or inventor's certificate, or PCT International application having a filling date before that of the application for which priority is claimed.

外因での先行出版			Pri	ority Not Clair
2004-117910	Japan	13/04/2004		经 先按主张和
(Number) (据号)	(Country) (国名)	(Day/Month/Year File (出版日/月/年)	· •	
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私は、ここに、下記のいかな 国法典第35編119条 (e)項	る米国仮特許出頭についても、その米 の利益を主張する。	I hereby claim the benefit un 119(e) of any United States		
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(出願書号)	(出版日)	(出版報号)	(LIME)	1
私は、ここに、下記のいかく 東第35編第120条にあづても 東第35編第120条についばれる とでは 東京では、また、一個にの では アででは、 の別には の別に の別に の別に の別に の別に の別に の別に の別に の別に の別に	(出版日) なる米国出版についても、その米国法刊益を主張し、又米国を指定するいか、その対策365条(のに基づく利益、その対策365条(のに基づく利益、特許研究の範囲の主部が、米国出版政策をおいた。 大行する米国出版政策をおいては、その先行出版のでは、その先行出版日との間で中に入手37編規則1、56に定義された特許関示義路があることを承認する。	I hereby claim the benefit un 120 of any United States application designed, insertar as the subject mapplication is not disclosed in International application in the of Title 35, United States Cox to disclose information which Title 37, Code of Federal Regardiants of PCT International national or PCT International	ider Tille 35, United Sta plication(s), or 365(c) or grating the United Statu- latter of each of the cis in the prior United Statu- e manner provided by in de Section 112, I ackno- is material to patentable guiations, Section 1.56 (ate of the prior application)	any PCT and listed below the of this to PCT the first paragra wiedge the duty try as defined in which became ton and the
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且っ佰組と信ずることに去づく疎述が、真実であると信じられるこ を宣言し、さらに、故意に虚偽の歴述などを行った場合は、米国法典 第18編第1001条に基づき、罰金または拘禁、若しくはその両方 により処罰され、またそのような故意による虚偽の歴述は、本出類ま たはそれに対して発行されるいかなる特許も、その有効性に同題が生 ずることを選択した上で原送が行われたことを、ここに宜甘する。

knowledge are true and that all statements made on information and bellef are believed to be true; and further that these statement were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, unde Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

PTO/SB/166 (5-00)

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娄丘状: 私は本出取を李玄する手続を行い、且つ米図特許陶様庁と の全ての業務を選行するために、記名された発明者として、下記の弁 護士及びノまたは弁理士を任命する。〈氏名及び登録番号を記載する 2 E)

38834 米国特許商標庁

雷舞选付先

直通電話通路先: (氏名及び電話密号)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademan Office connected therewith (list name and registration number). 38834

PATENT TRADEMARK OFFICE

Send Correspondence ta:

Joseph P. Farrar Attorney Registration No. 54, 596 Orion Consulting, Ltd. Kanda Center Bidg.,5th Fi, 2-3-2, Kajicho, Chiyoda-ku, Tokyo 101-0044 Japan

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唯一主には第一般明石氏名		Furni NABESHIMA		
発明者の著名	国付	Inventor's signature	Date	
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		c/o Komatsu Electronic Metals Co., I Shinomiya 3-chome, Hiratsuka-shi, k	_td., 25-1, Canagawa	
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第二共同発明者がいる場合、その氏名		Full name of additional inventor, if any		
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第二共同発明者の署名	日付	Inventor's signature	Date	
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<u></u>	,			

Page 3 of 4

第三共同発明者がいる場合、その氏名		Full name of additional inventor, if any			
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第三共同発明者の署名	日付	Inventor's signature	Date		
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国籍 .		Citizenship			
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		Full name of additional inventor, if any			
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第四共同発明者の署名	自何	inventor's signature	Date :		
		Yoskinori Swengga	5/9/2000		
住所		Residence			
		Hiratsuka-shi, Kanagawa, Japan			
B S		Citizenship			
		Japan			
郵便の発売		Post Office Address	1:		
		c/o Komatsu Electronic Metals Co., Ltd Shinomiya 3-chome, Hiratsuka-shi, Kar			
		254-0014 Japan			
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Electronic A	cknowledgemen	t Receipt		
EFS ID:	1193633		···	
Application Number:	10598933		·	
Confirmation Number:	2213			
Title of Invention:	Semiconductor wafer	inspection device and meth	od	
First Named Inventor:	Fumi Nabeshima			:
Customer Number:	44719			
Filer:	Joseph Patrick Farrar			
Filer Authorized By:				
Attorney Docket Number:	PA214WP002			
Receipt Date:	14-SEP-2006		= -	
Filing Date:				
Time Stamp:	21;19:36			
Application Type:	U.S. National Stage un	nder 35 USC 371		
International Application Number:	PCT/JP05/12345			
Payment information:				
Submitted with Payment	yes			
Payment was successfully received in RAM	\$ 900			
RAM confirmation Number	753		***************************************	
Deposit Account	503546			
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New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compilant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.